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FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

MAR 20 2019

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY CO DEPUTY CLERK

UNITED STATES OF AMERICA

Plaintiff,

VS.

JOE ANTHONY RAMIREZ (1),
aka "HOMEBOY"

ERNEST RIVAS (3),
aka "CHATO"

ROY RAMIREZ JR. (4),
aka "JR"

ROY RAMIREZ SR. (5),
aka "BLACK BABY"
aka "BLACK"

ANDREW YBARRA (6),
aka "DREW"

MICHAEL VITAL (7),
ABEL TREJO (8),

Defendants.

SEALED

INDICTMENT

■ COUNT 1: Vio: 21 U.S.C. §§ 846,
841(a)(1) & 841(b)(1)(A)/(B)/(C):

Conspiracy to Possess with intent
to Distribute Heroin and Cocaine

■ COUNTS 2, 3, 4: Vio: 21 U.S.C.
§§ 841(a)(1) & 841(b)(1)(B), 18

U.S.C. § 2: Aiding and Abetting
Possession with intent to Distribute
Cocaine

SA 19 CR 0185

THE GRAND JURY CHARGES:

COUNT ONE

[21 U.S.C. §§ 846, 841(a)(1) & 841(b)(1)(A)/(B)/(C)]

Beginning on or about May 1, 2018, the exact date unknown, and continuing until the date
of this indictment, in the Western District of Texas, Defendants,

JOE ANTHONY RAMIREZ aka "HOMEBOY" (1),

ERNEST RIVAS aka "CHATO" (3),

ROY RAMIREZ JR. aka "JR" (4),

ROY RAMIREZ SR. aka "BLACK BABY" aka "BLACK" (5),

ANDREW YBARRA aka "DREW" (6),


MICHAEL VITAL (7), and

ABEL TREJO (8),

knowingly and intentionally conspired, combined, confederated, and agreed together, and with each other, and with others, to commit the following offenses against the United States: to distribute a controlled substance, which offense involved heroin, a Schedule I Controlled Substance, and cocaine, its salts, optical and geometric isomers, and salts of isomers, a Schedule II Controlled Substance, in violation of Title 21, United States Code Sections 841(a)(1) and 841(b)(1)(A), 841(b)(1)(B) and 841(b)(1)(C).

QUANTITY OF CONTROLLED SUBSTANCE INVOLVED IN THE CONSPIRACY

The quantity of the mixture or substance containing a controlled substance involved in the conspiracy and attributable to each Defendant as a result of each Defendant's own conduct and as a result of the conduct of other conspirators reasonably foreseeable to each Defendant is as follows:

DEFENDANT	QUANTITY
Joe Anthony Ramirez (1)	1 kilogram or more of a mixture or substance containing a detectable amount of heroin; 500 grams or more of a mixture or substances containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers;
	100 grams or more of a mixture or substance containing a detectable amount of heroin;
Ernest Rivas (3)	100 grams or more of a mixture or substance containing a detectable amount of heroin; A mixture or substances containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers;
Roy Ramirez Jr. (4)	500 grams or more of a mixture or substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers;
Roy Ramirez Sr. (5)	100 grams or more of a mixture or substance containing a detectable amount of heroin;

	500 grams or more of a mixture or substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers;
Andrew Ybarra (6)	100 grams or more of a mixture or substance containing a detectable amount of heroin;
Michael Vital (7)	A mixture or substances containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers;
Abel Trejo (8)	A mixture or substances containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers;

MANNER AND MEANS

1. The Joe Anthony Ramirez Drug Trafficking Organization (Ramirez DTO), led by Joe Anthony Ramirez, was involved in the smuggling and distribution of cocaine and heroin in the greater San Antonio area.
2. When the Ramirez DTO sourced narcotics from any of its suppliers, including Adrian Hinojosa and Ernest Rivas, the narcotics would be delivered to various residences, including those of Roy Ramirez Sr. and Andrew Ybarra. Roy Ramirez Jr. would also broker narcotics deals for Joe Anthony Ramirez by arranging purchases of narcotics with alternate sources of supply.
3. Once the narcotics were delivered, Joe Anthony Ramirez, Andrew Ybarra, Roy Ramirez Sr., and other DTO members broke down the narcotics to street-level quantities and attempted to distribute them as soon as possible.
4. Joe Anthony Ramirez often used his telephone to call his retail dealers (including Roy Ramirez Jr., Michael Vital, and Abel Trejo) before the narcotics arrived to advise them of the pending shipment and to take orders from them regarding how much they wished to purchase.

5. Once the narcotics were broken down, Joe Anthony Ramirez called the retail dealers to have them pick up the narcotics. If a retail dealer could not drive to where the narcotics were broken down, Joe Anthony Ramirez would send Roy Ramirez Sr. to deliver the narcotics or meet with the retail dealer.

6. Joe Anthony Ramirez also sent Roy Ramirez Sr. and other DTO members to pick up money from the retail dealers if the retail dealers could not drop off the narcotics proceeds at the residence of Roy Ramirez Sr.

All in violation of Title 21, United States Code, Section 846.

COUNT TWO

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B) and 18 U.S.C. § 2]

That on or about November 7, 2018, in the Western District of Texas, Defendants,

**JOE ANTHONY RAMIREZ aka "HOMEBOY" (1),
ROY RAMIREZ JR. aka "JR" (4), and
ROY RAMIREZ SR. aka "BLACK BABY" aka "BLACK" (5),**

aided and abetted by each other, did knowingly, intentionally and unlawfully possess with the intent to distribute, a controlled substance, which offense involved 500 grams or more of a mixture or substance containing a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B) and 18 U.S.C. § 2.

COUNT THREE

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(C) and 18 U.S.C. § 2]

That on or about December 6, 2018, in the Western District of Texas, Defendants,

**JOE ANTHONY RAMIREZ aka "HOMEBOY" (1), and
ABEL TREJO (8),**

aided and abetted by each other, did knowingly, intentionally and unlawfully possess with the

intent to distribute, a controlled substance, which offense involved a detectable amount of cocaine, its salts, optical and geometric isomers, and salts of isomers, a Schedule II Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C) and 18 U.S.C. § 2.

COUNT FOUR

[21 U.S.C. §§ 841(a)(1) & 841(b)(1)(B) and 18 U.S.C. § 2]

That on or about December 31, 2018, in the Western District of Texas, Defendants,

JOE ANTHONY RAMIREZ aka "HOMEBOY" (1),

[REDACTED]
ERNEST RIVAS aka "CHATO" (3), and
ANDREW YBARRA aka "DREW" (6)

aided and abetted by each other, did knowingly, intentionally and unlawfully possess with the intent to distribute, a controlled substance, which offense involved 100 grams or more of a mixture or substance containing a detectable amount of heroin, a Schedule I Controlled Substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B) and 18 U.S.C. § 2.

NOTICE OF UNITED STATES OF AMERICA'S DEMAND FOR FORFEITURE

[See Fed.R.Crim.P. 32.2]

I.

Drug Violations and Forfeiture Statutes

**[Title 21 USC §§ 841(a)(1), (b)(1)(A), (b)(1)(B), (b)(1)(C), and 846,
subject to forfeiture pursuant to Title 21 USC § 853(a)(1) and (2)]**

As a result of the foregoing criminal violations set forth in the Counts One through Four above, the United States of America gives notice to the Defendants of its intent to seek the forfeiture of the properties described below upon conviction pursuant to Fed. R. Crim. P. 32.2 and Title 21 U.S.C. §§ 853(a)(1) and (2), which states:

Title 21 U.S.C. § 853. Criminal forfeitures

(a) Property subject to criminal forfeitures.

Any person convicted of a violation of this subchapter or subchapter II of this

chapter punishable by imprisonment for more than one year shall forfeit to the United States, irrespective of any provision of State law.--

- (1) any property constituting, or derived from, any proceeds the person obtained, directly or indirectly, as the result of such violation;
- (2) any of the person's property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violation; . . .

This Notice of Demand for Forfeiture includes, but is not limited to the following properties described in Paragraph II:

II.

Real Properties


- Real Property located and situated at 406 Ferguson Ave., San Antonio, Bexar County, Texas, with all buildings, appurtenances, and improvements thereon and any and all surface and sub-surface rights, title, and interests, if any, and being more fully described as follows:

NCB 1538 BLK 16 LOT 11.

- Real Property located and situated at 445 Cooper St., San Antonio, Bexar County, Texas, with all buildings, appurtenances, and improvements thereon and any and all surface and sub-surface rights, title, and interests, if any, and being more fully described as follows:

NCB 1601 BLK 3 LOT 47, 48, 49 & W 12.5 FT of 50.

A TRUE BILL


FOREPERSON OF THE GRAND JURY

JOHN F. BASH
UNITED STATES ATTORNEY

BY:


ERIC FUCHS

Assistant United States Attorney